

49.000

- 49.402-7 Other damages.
- 49.403 Termination of cost-reimbursement contracts for default.
- 49.404 Surety-takeover agreements.
- 49.405 Completion by another contractor.
- 49.406 Liquidation of liability.

Subpart 49.5—Contract Termination Clauses

- 49.501 General.
- 49.502 Termination for convenience of the Government.
- 49.503 Termination for convenience of the Government and default.
- 49.504 Termination of fixed-price contracts for default.
- 49.505 Other termination clauses.

Subpart 49.6—Contract Termination Forms and Formats

- 49.601 Notice of termination for convenience.
- 49.601-1 Telegraphic notice.
- 49.601-2 Letter notice.
- 49.602 Forms for settlement of terminated contracts.
- 49.602-1 Termination settlement proposal forms.
- 49.602-2 Inventory schedule forms.
- 49.602-3 Schedule of accounting information.
- 49.602-4 Partial payments.
- 49.602-5 Settlement agreement.
- 49.603 Formats for termination for convenience settlement agreements.
- 49.603-1 Fixed-price contracts—complete termination.
- 49.603-2 Fixed-price contracts—partial termination.
- 49.603-3 Cost-reimbursement contracts—complete termination, if settlement includes cost.
- 49.603-4 Cost-reimbursement contracts—complete termination, with settlement limited to fee.
- 49.603-5 Cost-reimbursement contracts—partial termination.
- 49.603-6 No-cost settlement agreement—complete termination.
- 49.603-7 No-cost settlement agreement—partial termination.
- 49.603-8 Fixed-price contracts—settlements with subcontractors only.
- 49.603-9 Settlement of reservations.
- 49.604 Release of excess funds under terminated contracts.
- 49.605 Request to settle subcontractor settlement proposals.
- 49.606 Granting subcontract settlement authorization.
- 49.607 Delinquency notices.

AUTHORITY: 40 U.S.C. 486(c); 10 U.S.C. Chapter 137; and 42 U.S.C. 2473(c).

48 CFR Ch. 1 (10-1-97 Edition)

SOURCE: 48 FR 42447, Sept. 19, 1983, unless otherwise noted.

49.000 Scope of part.

This part establishes policies and procedures relating to the complete or partial termination of contracts for the convenience of the Government or for default. It prescribes contract clauses relating to termination and excusable delay and includes instructions for using termination and settlement forms.

49.001 Definitions.

Claim, as used in this part, means the same as the language in 33.201.

Continued portion of the contract, as used in this part, means the portion of a partially terminated contract that the contractor must continue to perform.

Effective date of termination means the date on which the notice of termination requires the contractor to stop performance under the contract. If the termination notice is received by the contractor subsequent to the date fixed for termination, then the effective date of termination means the date the notice is received.

Other work, as used in this part, means any current or scheduled work of the contractor, whether Government or commercial, other than work related to the terminated contract.

Partial termination means the termination of a part, but not all, of the work that has not been completed and accepted under a contract.

Settlement agreement, as used in this part, means a written agreement in the form of an amendment to a contract settling all or a severable portion of a settlement proposal.

Settlement proposal, as used in this part, means a proposal for effecting settlement of a contract terminated in whole or in part, submitted by a contractor or subcontractor in the form, and supported by the data, required by this part. A settlement proposal is included within the generic meaning of the word *claim* under false claims acts (see 18 U.S.C. 287 and 31 U.S.C. 3729).

Terminated portion of the contract means the portion of a terminated contract that relates to work or end items not completed and accepted before the